

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

TODD ROY GIBBONS,

Plaintiff,

v.

BOB FERGUSON,

Defendant.

CASE NO. C13-5189 BHS

ORDER DENYING MOTION  
FOR RECONSIDERATION

This matter comes before the Court on Plaintiff Todd Roy Gibbons's ("Gibbons") motion for reconsideration (Dkt. 9)

On March 14, 2012, Gibbons filed a motion to proceed *in forma pauperis* and a proposed complaint. Gibbons alleges that the United States, through the Washington Attorney General and local medical facilities, has caused him to receive an improper medical diagnosis in early 2005. Dkt. 1-1. On March 20, 2013, the Court denied Gibbons's motion and dismissed his complaint because of numerous deficiencies in the complaint, including the fundamental jurisdictional deficiencies of failure to exhaust and statute of limitations. Dkt. 4.

1 On March 26, 2013, Gibbons filed a motion for reconsideration stating that he  
2 failed to include four pages of his complaint (Dkt. 5) and a motion to amend his  
3 complaint to add the additional four pages (Dkt. 6). On March 27, 2013, the Court  
4 denied both motions. Dkt. 7.


5 On July 3, 2013, Gibbons filed a second motion for reconsideration arguing  
6 manifest error in the Court's prior rulings. Dkt. 9.

7 In this case, Gibbons's motion fails for at least two reasons. First, Gibbons's  
8 motion is untimely because such a motion must be filed within 14 days after the decision  
9 issues that the motion is challenging. Second, the Court did not commit manifest error in  
10 the prior rulings because Gibbons clearly failed to allege facts establishing jurisdiction in  
11 this Court. Therefore, the Court **DENIES** Gibbons's motion for reconsideration.

12 Furthermore, the Clerk is directed to enter a note in the electronic docket that no  
13 more documents will be accepted from Gibbons in this matter. If Gibbons files  
14 additional documents in this case, the Clerk shall return the documents to Gibbons.

15 **IT IS SO ORDERED.**

16 Dated this 8th day of July, 2013.

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19 BENJAMIN H. SETTLE  
20 United States District Judge  
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